IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5308 of 2005

Between:

Armada Harsha Vardhan Reddy S/o. Dr. A. Ram Chandra Reddy
Rep. by his G.P.A. Holder G. Srinivas S/o. Gangaram, aged about 26 years, Occ: Business, R/o.H.No.16-20/9/46,
Saleemnagar Colony, Malakpet, Hyderabad.

..... PETITIONER

AND

1 Commissioner, L.B.Nagar Municipality, Saroornagar,
R.R. District.
2 L.B.Nagar Municipality, Saroornagar, R.R. District.
Rep. by its Commissioner.
3 Smt. K. Manjula Devi W/o. K. Sridhar Reddy
H.No. 16-2-839/4/10, Madhav Nagar, Saidabad,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, particularly one in the nature of Mandamus, declaring the inaction of the Respondents 1 and 2 herein in not taking action for demolition of illegal constructions made in plot No.44 admeasuring 500 Sq.yards in S.No. 66/7(old) 12(New) ward No.3, Block No.7 Mansoorabad Village, Saroornagar Mandal, under L.B.Nagar Municipality, R.R.District, by the 3rd respondent herein as illegal, arbitrary, unreasonable, contrary to the provisions of A.P. Municipalities Act and the Rules made thereunder and also violative of Articles 14, 21 and 300-A of the Constitution of India and issue a consequential direction to the respondent 1 and 2 herein to demolish the said structures and remove the nuisance caused by the 3rd respondent to the petitioner in enjoying his Plot No.45

admeasuring 500 Sq. yards in Sy.No.66/7(old) 12(New) at Ward No.3, Block No.7, Mansoorabad Village, Saroornagar Mandal, R.R.District.

Counsel for the Petitioner:MR.M.RAJAMALLA REDDY

Counsel for the Respondent No.1 & 2: MR.POLISETTI RADHAKRISHNA (SC FOR MPL)

The Court ate the stage of admission made the following :

O R D E R:

This writ petition is filed aggrieved by the alleged inaction on the part of the first respondent-Corporation in considering the representation made by the petitioner dated 04-03-2004 complaining about certain unauthorized constructions being made by the third respondent in plot No.44, admeasuring 500 Sq.yards in S.No.6617(old) 12 (new) Ward No.3, Block No.7, Mansoorabad village, Saroornagar Mandal, L.B Nagar Muncipality, R.R.District.

Having heard the learned counsel for the petitioner, the learned standing counsel appearing for the first respondent-Corporation and having regard to the nature of the controversy involved in the writ petition, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent-Corporation to consider the representation of the petitioner dated 04-03-2004 and pass appropriate orders, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order provided that no order of injunction granted by the court of law or any Statutory Authority in respect of the said property is operating as on today. It is made clear that before passing any such order the third respondent shall be afforded reasonable opportunity to rebut the allegations made by the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

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(G.ROHINI, J)

Dated 17th March, 2005.

mrb

To

1 The Commissioner, L.B.Nagar Municipality, Saroornagar,
Ranga Reddy District.
2 The Commissioner, L.B.Nagar Municipality, Saroornagar,

Ranga Reddy District.

3. Two CD copies.